

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

THE PEOPLE OF THE STATE)	
Of CALIFORNIA)	
)	
Appellant,)	
)	
Vs.)	Case No. 25-2370
)	
23andME HOLDING CO., <i>et al.</i> ,)	
)	
Appellee)	

APPELLANTS' MOTION FOR LEAVE TO FILE BRIEF OUT OF TIME
OR, IN THE ALTERNATIVE, FOR ADDITIONAL TIME

COME NOW The University of California, Santa Cruz Center for Applied Values and Ethics in the Advancing Technologies (CAVEAT), members of the Global BioData Trust Bioethics Committee (Linda MacDonald Glenn, JD, LLM, Lisa A. Berkley, PhD, Alexander M. Capron, LLB, Camille Nebeker, EdD, MS, Nanette Elster, JD, MPH, Arthur L. Caplan, PhD, Paul Root Wolpe, PhD, Kayte Spector-Bagdady, JD, MBe, Robert Cook-Deacon, M.D., Andrea Downing and Elizabeth Dreicer), by and through counsel pursuant to Fed. R. App. P. 26(b) and Local Rule 27(a)(2), and move this Court for leave to file their Appellants' Brief out of time or, in the alternative for additional time in which to prepare and file their Appellants' Brief in this matter. In support of their motion Appellants state:

1. Pursuant to this Court's Consolidated Appeal Briefing Schedule Order Appellants were to file their Brief in this matter on or before September 2, 2025.

2. Between the time the Consolidated Appeal Briefing Schedule Order was entered and the filing of this motion, Appellants have been diligently engaged in the process of retaining appellate specialists to pursue this appeal.

3. Appellants' substitute counsel anticipates they can prepare and file an appellate brief compliant with applicable procedural rules if granted an extension of sixty (60) days up to and including November 4, 2025.

4. This is Appellants' first request for an extension of time; and this request is not made for any vexatious or improper purpose.

WHEREFORE Appellants move this Court to extend the time for the filing of the Appellants' Brief to and including November 4, 2025. Appellants request such further relief as the Court deems appropriate under the circumstances.

Respectfully submitted,

**BUCKLEY, ENGELBART & CHAPPELL,
LLC**

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 5th day of September, 2025, a copy of the above and foregoing was filed electronically with the Clerk of the Court, using the CM/ECF system, with copies to be served all counsel of record by operation of the Court's electronic filing system.

/s/ Adrian P. Sulser

CERTIFICATE OF COMPLIANCE AND SERVICE

The undersigned hereby certifies that:

1. This Motion complies with the type-volume limitations in Rules 32(a)(5) and 32(a)(7)(B)(i) of the Federal Rules of Appellate Procedure. This pleading contains 574 words, as determined by Microsoft Office Word 2016 software and the type face (Times New Roman) is size 14.
2. This Motion has been scanned by the undersigned for viruses and no viruses were found.
3. A true and correct copy of this Motion was served upon all parties of record via the Eighth Circuit's filing system on September 5, 2025.

**BUCKLEY ENGELBART
& CHAPPELL, LLC**

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